



Zoning Division

Land Preservation Parcel Split

WHAT IS A LAND PRESERVATION PARCEL SPLIT?

A Land Preservation Parcel Split (LPPS) is a single division of land from a parent parcel which contains one or more single family residential structures and which the proposed division does not qualify as a Residential Parcel Split.

To determine whether a parcel qualifies for a LPPS, The Unified Development Code (UDC) requires that a land preservation parcel split meet the following criteria:

1. The parent parcel qualifies as a legal lot of record.
2. The parcel proposed for the split (i.e. "bonus parcel") shall contain a minimum of one (1) net acre, must include an existing single family dwelling and may include associated accessory structures.
3. If one or more dwelling exist on the parent parcel which qualify for a Residential Parcel Split, that process must be completed prior to, or in conjunction with, the Land Preservation Parcel Split process.
4. The following provisions shall apply to the remaining land (i.e. "land preservation parcel") of the parent parcel:
 - (i) The land preservation parcel shall be designated as an Outlot on the plat.
 - (ii) The land preservation parcel shall contain a minimum of 10 net acres.
 - (iii) The land preservation parcel may not contain any principal dwelling or other principal structure, but may contain existing accessory buildings or structures (such as agricultural buildings) associated with the use of the land preservation parcel.
5. The deed restriction attached to the land preservation parcel shall be recorded with the plat. The deed restriction will describe the limitations for future development of the land preservation parcel and will include, at a minimum, the following provisions:
 - (i) Other than as stipulated below, no new principal, conditional or accessory uses (including farm dwelling) shall be permitted on the land preservation parcel under the terms of the deed restriction as long as the restriction remains in place.
 - (ii) Subject to applicable zoning and building permit requirements, the deed restriction shall allow, on the land preservation parcel, the construction, reconstruction, alteration, or enlargement of accessory buildings or structures (such as agricultural buildings) associated with the use of the land preservation parcel.
 - (iii) If, in the future, the land preservation parcel subject to the deed restriction meets the County's development requirements in effect at the time development is

proposed, the deed restriction may be removed through approval of such proposed development through appropriate platting and zoning applications, including the recordation of a document affirming that the conditions for development approval have been met and the restrictions no longer have force and effect.

(iv) The deed restriction shall automatically “sunset” upon the completion of annexation of the land preservation parcel into an incorporated city. Annexation shall be completed when all annexation documents have been recorded in the Office of the County Recorder.

6. All resulting parcels shall have access to an adjoining public roadway by actual road frontage or easement
7. No variances from subdivision or zoning standards shall be granted in order to accomplish a land preservation parcel split.
8. This process has not previously been used to sever a lot from the parent tract.

The Planning and Development staff will assist you in determining whether your particular property qualifies for a LPPS.

Questions?
Contact Linn County Planning and Development
319-892-5130